

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

UNITED STATES OF AMERICA

v.

GARY LENION MCDONALD

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CR 612-005-03

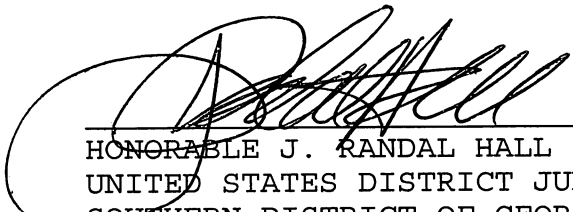
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O R D E R

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On September 20, 2016, this Court denied Defendant's motion to reduce his sentence under 18 U.S.C. § 3582(c)(2) based upon Amendment 794 to the United States Sentencing Guidelines, which sets out new guidelines for the determination of whether a defendant should be granted a mitigating role reduction under U.S.S.G. § 3B1.2. On October 11, 2016, Defendant filed a "Motion for Minor Role Reduction." Perhaps Defendant did not have the benefit of the Court's ruling when the instant motion was filed. In any event, the Court explained in its Order of September 20, 2016, that Amendment 794 is not available to Defendant retroactively in the post-conviction context. For this reason, and as explained previously, Defendant's motion for a minor role reduction (doc. 261) is **DENIED**.

ORDER ENTERED at Augusta, Georgia, this 14th day of October, 2016.

  
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HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA